

Approved through 10/31/2002. OMB 0851-0031
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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 28, 2000,
provides for continued examination of a utility or plant application
filed on or after June 8, 1996.
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/732,914
Filing Date	December 11, 2000
First Named Inventor	David CHEO
Group Art Unit	1636
Examiner Name	Ketter, James S.
Attorney Docket Number	0942.5010002/RWE/ BJD/JKM

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Third Supplemental Information Disclosure Statement (IDS)
- iv. ☐ Other _____

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2. Miscellaneous


- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(o) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☒ Other PTO Fee Transmittal (PTO/SB/17)

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 19-0036
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☒ Payment by credit card (Form PTO-2038 enclosed)
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other _____

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	BRIAN J. DEL BUONO STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.	Registration No. (Attorney/Agent)	42,473
Signature		Date	April 28, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

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#17
Dlx
12/9/04**Fax**☒ Urgent☐ Return reply requested☐ Original will be sent as confirmation

To: U.S. Patent & Trademark Office

Date: December 2, 2004

Attention: Examiner James S. Ketter

Re: Appl. No. 09/732,914; Filed 12/11/00

For: Use of Multiple Recombination Sites
with Unique Specificity in
Recombinational CloningFrom: Brian J. Del Buono, Esq. *(BJD)*Inventors: CHEO *et al.*

Pages (including cover sheet): 6

Your Reference:

Fax No: 571 273 0770

Our Reference: 0942.5010002/RWE/BJD/JKM

Message

Certification of Facsimile Transmission

I hereby certify that a copy of the PTO date-stamped postcard dated April 28, 2003, SKGF cover letter, RCE and Fee Transmittal are being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Opney E. Feldman
NameDate: *December 2, 2004*

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Applicant: CHEO *et al.*

Due Date: June 11, 2003

Art Unit: 1636

Examiner: Ketter, J.S.

Application No.: 09/732,914

Docket: 0942.5010002

Filed: December 11, 2000

Atty: RWE/BJD/JKM

For: Use of Multiple Recombination Sites with Unique Specificity in Recombinational Cloning

When receipt stamp is placed hereon, the USPTO acknowledges receipt of the following documents:

1. SKGF Cover Letter;
2. Request for Continued Examination Transmittal (Form PTO/SB/30);
3. Fee Transmittal Form PTO/SB/17;
4. Third Supplemental Information Disclosure Statement;
5. List of cited references on Form PTO-1449 (15 sheets);
6. A copy of each reference cited on Form PTO-1449 (64 documents: AH5-AH6, AN7-AL9, and AT88-AT102);
7. Credit Card Payment Form PTO-2038; and
8. One (1) return postcard.



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SKGF_DCI:127969.1



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April 28, 2003

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Commissioner for Patents
P.O. Box 1452
Alexandria, VA 22313-1450

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Re: U.S. Utility Patent Application
Appl. No. 09/732,914; Filed: December 11, 2000
For: **Use of Multiple Recombination Sites with
Unique Specificity in Recombinational Cloning**
Inventors: CHEO *et al.*
Our Ref: 0942.5010002/RWE/BJD/JKM

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Request for Continued Examination Transmittal (Form PTO/SB/30);
2. Fee Transmittal Form PTO/SB/17;
3. Third Supplemental Information Disclosure Statement;
4. List of cited references on Form PTO-1449 (15 sheets);
5. A copy of each reference cited on Form PTO-1449 (64 documents: AH5-AH6, AN7-AL9, and AT88-AT102);
6. Credit Card Payment Form PTO-2038; and
7. One (1) return postcard.

Commissioner for Patents
April 28, 2003
Page 2

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Brian J. Del Buono
Attorney for Applicants
Registration No. 42,473

RWE/BJD/JKM/acr
Enclosures

SKGF_DC1:127350.1

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FEE TRANSMITTAL
for FY 2003

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$750.00)****Complete if Known**

Application Number	09/732,914
Filing Date	December 11, 2000
First Named Inventor	David CHEO
Examiner Name	Ketter, J.S.
Group Art Unit	1636
Attorney Docket No.	0942.5010002/RWE/BJD/JKM

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit card ☐ Money Order ☒ Other** ☐ None
 ** Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

☐ Deposit Account
 Deposit Account Number 19-0036

Deposit Account Name: Slame, Kessler, Goldstein & Fox P.L.L.C.

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any over payments
☐ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1105	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$) 0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra	Fee from below	Fee Paid
20**	X		
3**	X		
Multiple Dependent			

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1202	18	2202	9			Claims in excess of 20	
1201	84	2201	42			Independent claims in excess of 3	
1203	280	2203	140			Multiple dependent claim, if not paid	
1204	84	2204	42			**Reissue independent claims over original patent	
1205	18	2205	9			**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$) 0.00

** or number previously paid, if greater; For Reissue, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

FILE COI

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1502	50	2052	25	Surcharge-late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	820*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	260	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1808	160	1808	160	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	376	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	376	Request for Continued Examination (RCE)	\$750.00
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 750.00

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Brian J. Del Buono	Registration No. (Attorney/Agent)	42,473	Telephone	202-371-2800
Signature	<i>Brian J. Del Buono</i>	Date	April 28, 2003		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.12. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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